

Remarks/Arguments:

This is a reply to the office action of August 4.

New claim 25 corresponds to a combination of original claim 25, 26 and 28, except that the preferred U-shaped form of the mountings according in original claim 28 has not been introduced into claim 25. Claim 28 is now limited to the U-shaped form of the mountings.

Claim 25 now requires top parts and bottom parts which have at least one angular deviation which forms a contact surface to which the sidewalls are welded, and laterally disposed mountings for the reception of a side element. The amended claim is directed particularly to the embodiment shown in Fig. 7.

Former claim 26 and claims 46 to 50 have been deleted without prejudice. Please note that claim 26 read on the elected species of Figs. 1 - 7. Also, we note that Fig. 17 should have been included in the elected species, since Fig. 17 is only another view of the embodiment of Fig. 16.

The preferred feature in claim 40 has been deleted.

Claim rejections § 112

The typographic error “bottom” in claim 25 has been corrected.

The term “preferably” in claim 28 has been removed.

The term “especially” in claim 40 has been removed.

Claim 50 has been cancelled.

All of the rejections under 35 USC § 112 therefore have been overcome.

35 USC § 102

The Examiner rejected claims 42 to 45 as anticipated by Prince (US 6,668,495).

Claim 42 has been amended to clarify that the insulation is between the side walls.

Claim 42 is directed to a profile for frames of wall elements, doors or windows having a top part and a bottom part and sidewalls which contact the same and have openings. On the sidewalls, in region of the openings, there are inwardly deformable cams for the fixing of insulation material. This claim corresponds to what is shown in Figs. 16 and 17 (which is a detail of Fig. 16). The cam 27 (see Fig. 16) is arranged in the area of the opening 11 and therefore it can be flexed inwardly (see Fig. 17) so that the isolating material 28 can be fixed. The Examiner referred to divider 21 shown e.g. in Fig. 4 of Prince. But as can be clearly seen in Fig. 7 of Prince, the sidewalls of Prince do not have any openings. The “divider 21” extends axially along the complete length. Price there does not disclose any cam in the region of any openings. Furthermore, the divider is not inwardly deformable.

Because of the noted differences, claim 42 is novel over Prince. And inasmuch as none of the cited documents suggests using deformable cams arranged in the area of openings for fixing insulation material by deforming said cams, claim 42 also is non-obvious over Prince.

35 USC § 103

US 1,360,774 (Mooney) does not disclose a profile for frames of wall elements with side walls which have obliquely running webs with the height of the sidewalls being less than the distance between the end walls. Furthermore, Mooney does not disclose angular deviations running parallel to a side wall wherein the side walls are welded in

the region of a contact surface formed by this deviation nor does Mooney show laterally disposed mountings for the reception of a side element.

The only embodiment shown in Mooney which has openings or a side wall of obliquely running webs is Fig. 8. But that figure shows neither angular deviations, nor sidewalls having a height less than the distance between the end walls. None of the embodiments in Mooney discloses mountings for receiving a side element.

Mooney is in the field of construction of structures to be used in the airship construction, where weight is critical. The present invention is directed to profiles for wall elements, doors or windows where insulation properties are important. The specific arrangement of the height of the side walls in combination with their fixation to the top/bottom parts has to be seen in context with the object of the present invention, in particular to provide as low a thermal conductivity and as good a thermal insulation as possible.

Mooney contains no hint or suggestion that would lead one to use metal construction in the building industry nor to make the modification according to claim 25 in order to improve the thermal properties. Nor are these differences shown or suggested in any of the other prior art documents cited by the Examiner. In particular, none of the documents discloses either side walls with mountings for receiving a side element or the claimed way of forming angular deviations and attaching the side walls by welding on the contact surface formed by such angular deviations.

The dependent claims are deemed patentable for the limitations they inherit from claim 25, in combination with the additional features each claim recites. Claim 32, for example, recites insulation material in the chamber formed by the side walls, the top part and the bottom part, in combination with the features inherited with claim 1.

For the reasons presented above, we believe that the claims as amended distinguish the present invention from the prior art of record, and that this application is now in condition for allowance.

Respectfully submitted,

/Charles Fallow/

Charles W. Fallow
Reg. No. 28,946

Shoemaker and Mattare, Ltd.
10 Post Office Road - Suite 100
Silver Spring, Maryland 20910

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